

Ninety-First Regular Session

WEDNESDAY, May 4, 1994

The chief clerk makes the following entries under the above date.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Adolescent Pregnancy Prevention Services Board

April 28, 1994

To the Honorable the Legislature:

It is our pleasure to transmit to you the enclosed report on the Adolescent Pregnancy Prevention and Services Board's activities under Wisconsin Statutes section 46.935. We hope that you will find much of interest in this report. If you should have any questions or need more information, please don't hesitate to call.

Sincerely,
Eileen D. Mershart
Chair

Dana Alder
Administrator

State of Wisconsin
Department of Administration

April 19, 1994

To the Honorable the Legislature:

Since 1988, state government has had a highly successful program of hiring Aid to Families with Dependent Children (AFDC) recipients into permanent state civil service jobs. The State Employment Options Program, which is funded by the Department of Health and Social Services and managed by the Department of Employment Relations, is a training program that helps AFDC recipients learn how to apply for and secure state employment. By law, all agencies with more than 100 full-time employees are to implement a plan to employ AFDC participants.

In the past, agencies have had goals to hire six to seven percent of their annual original hires as AFDC recipients. However, in the most recent 1993 annual report by DER, many agencies have not met this goal. Secretary Litscher and Secretary Whitburn reviewed the reasons for the drop in hiring, and they have prepared recommendations that I want to encourage you to implement immediately. The recommendations are attached. The DER will be meeting with the agencies in the near future to assist them in their planning.

I am asking each agency to set a minimum annual goal of six percent for the coming fiscal year 1994-95. I would ask that by July 15, 1994, each agency and UW campus provide a plan to the DER that will include their commitment to the goal and their action plan to attain that goal.

The State of Wisconsin has made significant progress in reducing its welfare rolls. State government can assist by

providing permanent jobs, thereby helping to achieve economic self-sufficiency for all our citizens.

Sincerely,
James R. Klauser
Secretary

State of Wisconsin
Department of Administration

April 30, 1994

To the Honorable the Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 13.172(3) Stats.), and confirms that the Department of Administration has found it necessary to exercise the "Temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of March, 1994.

On March 23, 1994 the **Health Insurance Risk Fund** balance was negative one thousand dollars (-\$1,000). This shortfall continued through March 31, 1994. The shortfall is due to the timing of revenues to the fund.

On March 28, 1994 the **Lottery Fund** balance was negative three million two hundred thousand dollars (-\$3,200,000). This shortfall continued through March 31, 1994 when the balance was negative two million dollars (-\$2,000,000). The shortfall is due to lower than expected revenues for fiscal year 1994.

The Health Insurance Risk Fund and Lottery Fund shortfalls were not in excess of the \$400 million ceiling and did not exceed balances of the Funds available for inter fund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by State Finance will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,
James R. Klauser
Secretary

Referred to the joint committee on Finance.

State of Wisconsin
Ethics Board

April 26, 1994

To the Honorable the Senate:

At the direction of § 13.685(7), Wisconsin Statutes, I am furnishing you with the following changes in the Ethics Board's records of licensed lobbyists and their employers.

Organization's authorization of additional lobbyists: The following organizations previously registered with the Ethics Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

Wisconsin Bell, Inc.

Remsik, Jeffrey

Organization's termination of lobbyists: Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

Sheriffs and Deputy Sheriffs Assoc., Wisconsin

Ostby, Byron 4/26/94

Organization's cessation of lobbying activity: Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist indicates a cessation of all lobbying activity effective on the date shown.

Mercury Marine, Division of Brunswick Corp. 4/20/94

Thimke, Mark 4/20/94

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,
R. Roth Judd
Executive Director

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

April 28, 1994

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Act No.	Date Approved
318-----	448-----	April 27, 1994
777-----	449-----	April 27, 1994
462(Vetoed in part)-----	453-----	April 28, 1994
542(Vetoed in part)-----	454-----	April 28, 1994
651-----	461-----	April 28, 1994
47(Vetoed in part)-----	471-----	April 28, 1994
281-----	472-----	April 28, 1994
618-----	473-----	April 28, 1994
666-----	474-----	April 28, 1994
743-----	475-----	April 28, 1994
771-----	476-----	April 28, 1994

Respectfully,
TOMMY G. THOMPSON
Governor

State of Wisconsin
Office of the Governor

April 28, 1994

To the Honorable, the Senate:

I approved **Senate Bill 462** and deposited it in the Office of the Secretary of State. I exercised my partial veto authority in sections 1, 5, 29 and 49.

Senate Bill 462 is a major initiative which will provide for the investigation and remediation of contaminated lands in the state. Among its many significant features, the bill relieves municipalities of most liability for contaminated sites acquired through tax delinquency or bankruptcy and creates a grant program to subsidize municipal investigations and remedial actions at such sites. It also creates simplified cost recovery procedures that encourage responsible parties to participate in investigations and remedial actions while receiving limited protection from increases in liability. This bill will make a significant contribution to the remediation of contaminated land in Wisconsin and in many cases return it to the municipal tax rolls. I strongly support the intent of this legislation.

However, sections 1, 5, 29 and 49 of the bill create a new appropriation to provide \$500,000 GPR for grant funding to municipalities for investigative and remedial purposes and direct the DNR to promulgate rules for the grant program prior to spending the funds. I am vetoing this appropriation because it is clearly inadequate for the intended purpose and it creates an unacceptable burden on the general fund. There is no reliable estimate of the total cost of the investigations and remedial actions that will be undertaken as a result of this bill, but they will be many times the \$500,000 GPR appropriated. The creation of a GPR appropriation will only create impractical expectations regarding continued GPR funding for this program. As a result of this partial veto, the grant program authorized in section 29 will be created and the Department of Natural Resources will be able to allocate limited funding for investigative and remedial action grants to the extent permitted under the terms of existing bonding authority for environmental repair purposes, as modified by this bill. Further, non-statutory provisions of this bill request the Legislative Council, and direct the Departments of Natural Resources and Administration to conduct studies related to funding these activities. Those studies should consider and propose a sustainable and comprehensive funding mechanism for the investigation and remediation of contaminated lands.

In summary, I strongly support this bill and will continue to support efforts to return contaminated property to productive use. However, I cannot and will not accept a funding policy which further burdens the general fund and creates unrealistic expectations for continued general fund support for potentially expensive environmental remediation. I expect the Legislative Council, the Department of Natural Resources and the Department of Administration to develop more suitable

funding alternatives for review and consideration during the 1995 legislative session.

Respectfully,
TOMMY G. THOMPSON
Governor

State of Wisconsin
Office of the Governor

April 28, 1994

To the Honorable, the Senate:

I approved **Senate Bill 542** in part and deposited it in the Office of the Secretary of State. I exercised the partial veto in Section 2.

Senate Bill 542 requires the state superintendent of public instruction to conduct background investigations of each applicant for issuance or renewal of a license or permit. Nonresident applicants, and resident applicants where warranted, shall be photographed and fingerprinted. **Senate Bill 542** requires educational agencies to provide information on employees who are holders of licenses with no expiration date at the request of the state superintendent. The issuance and renewal of a license may be made contingent on the receipt of a satisfactory background investigation. The state superintendent is also required to keep information received from background investigations confidential.

Section 2, as it relates to 118.19(9)(b)2, also requires the state superintendent to annually, over a 5 year period, conduct a background investigation of each person who holds a life time license and who is employed by an educational agency. The intent of this language was to require that 20% of the persons holding such licenses, and employed by educational agencies, be investigated each year over a five year period, so that all such persons should be investigated during the 5 year period. However, the language as passed appears to require that each such person be investigated each year for five years. I am vetoing the word "annually" to eliminate this technical problem.

I have been a proud supporter of efforts to improve school safety. I believe that **Senate Bill 542**, as I have approved it, will make Wisconsin's schools safer for our children.

Respectfully,
TOMMY G. THOMPSON
Governor

State of Wisconsin
Office of the Governor

April 28, 1994

To the Honorable, the Senate:

I approved **Senate Bill 47** in part and deposited it in the Office of the Secretary of State. I exercised the partial veto in Section 14.

Senate Bill 47 makes numerous changes to state law regarding historic preservation and the historic rehabilitation tax credit. These changes will strengthen

Wisconsin's ability to protect and maintain its historic buildings.

I am partially vetoing a provision in section 14 to assure that current homeowners are not denied tax credits because of the retroactive applicability of one of the statutory changes in this bill.

Under current law, owners of historic buildings are eligible for rehabilitation tax credits if the Society certifies that the owners' plans comply with the Society's standards. **Senate Bill 47** restricts the credit eligibility to only those costs incurred after the Society approval is received and makes the provision retroactive to January 1, 1994. As a result, some owners of historic buildings who began rehabilitation work after January 1, 1994, under current law, may be denied tax credits they were anticipating. By vetoing section 14 to delete the reference to the section restricting cost eligibility, the new restriction will not take effect until the day after publication. Owners who, in good faith, began rehabilitation under current law provisions, will retain full eligibility for tax credits.

Respectfully,
TOMMY G. THOMPSON
Governor

State of Wisconsin
Office of the Governor

April 25, 1994

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **BYRON C. OSTBY** of Madison, as Commissioner of Railroads pursuant to the statute governing, to serve for an interim term.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Transportation, Agriculture, Local and Rural Affairs.

State of Wisconsin
Office of the Governor

April 22, 1994

To the Honorable, the Senate:

This is to inform you that I am withdrawing the nomination of **DR. JAMES R. CERNY** of Brookfield, as a member of the Optometry Examining Board.

Respectfully,
Tommy Thompson
Governor

SENATE CLEARINGHOUSE ORDERS

The committee on Transportation, Agriculture, Local and Rural Affairs reports and recommends:

Senate Clearinghouse Rule 92-179

Relating to construction towers and other tall structures in the state of Wisconsin.

No action taken.

Senate Clearinghouse Rule 93-196

Relating to grain warehouse keepers and grain dealers.

No action taken.

Alan J. Lasee
Chair

The committee on Environment and Energy reports and recommends:

Senate Clearinghouse Rule 93-49

Relating to permit and control requirements for the aggregate industry.

No action taken.

Senate Clearinghouse Rule 93-229

Relating to the county forest administrator grant program.

No action taken.

Robert Cowles
Chair

Senate Clearinghouse Rule 93-115

Relating to safe drinking water.

Submitted by Department of Natural Resources.

Report received from agency, April 29, 1994.

Referred to committee on Environment and Energy, May 4, 1994.

Senate Clearinghouse Rule 93-125

Relating to negative options.

Submitted by Office of the Commissioner of Banking.

Report received from agency, May 2, 1994.

Referred to committee on Financial Institutions and Cultural Affairs, May 4, 1994.

Senate Clearinghouse Rule 93-206

Relating to the regulation of organic compound emissions from traffic marking material.

Submitted by Department of Natural Resources.

Report received from agency, April 29, 1994.

Referred to committee on Environment and Energy, May 4, 1994.

Senate Clearinghouse Rule 93-207

Relating to the control of VOC emissions from gasoline storage tank vent pipes.

Submitted by Department of Natural Resources.

Report received from agency, April 29, 1994.

Referred to committee on Environment and Energy, May 4, 1994.

Senate Clearinghouse Rule 93-208

Relating to the control of organic compound emissions from solvent cleaning operations.

Submitted by Department of Natural Resources.

Report received from agency, April 29, 1994.

Referred to committee on Environment and Energy, May 4, 1994.

Senate Clearinghouse Rule 93-124

Relating to the design and construction of public buildings and places of employment to provide accessibility for people with disabilities.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, April 27, 1994.

Referred to committee on Human Resources, Labor, Tourism, Veterans and Military Affairs, May 4, 1994.

Senate Clearinghouse Rule 94-4

Relating to readjustment of daily bag limits for walleye in response to current year population estimates.

Submitted by Department of Natural Resources.

Report received from agency, April 29, 1994.

Referred to committee on Environment and Energy, May 4, 1994.

Senate Clearinghouse Rule 94-18

Relating to refund anticipation loans.

Submitted by Office of the Commissioner of Banking.

Report received from agency, May 2, 1994.

Referred to committee on Financial Institutions and Cultural Affairs, May 4, 1994.

Senate Clearinghouse Rule 94-60

Relating to economic empowerment grants.

Submitted by Department of Development.

Report received from agency, May 2, 1994.

Referred to committee on Business, Economic Development and Urban Affairs, May 4, 1994.